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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 319/2025**

PREM KUMAR & ORS.

.....Petitioners

Through: Ms. Jyoti Sharma, Adv. (through VC)
along with petitioners in person
(through VC)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
SI Sahil, PS Anand Prabat.
R-2, Counsel appearance not given.
R-2 in person (through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **13.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 1619/2025

2. Exemption allowed, subject to all just exceptions. Application is disposed of.

CRL.M.C. 319/2025

3. The present petition filed under Section 528 of the BNSS seeks quashing of the FIR No. 121/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Parbat, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Deepika Goel Shokeen, Judicial Magistrate First Class, Mahila

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Court – 03, West District, Tis Hazari Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 27.01.2019 as per Hindu rites and ceremonies and no child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties started residing separately from 14.09.2020. Subsequently, respondent no.2/complainant lodged an FIR against petitioner no.1 (husband) and petitioner no. 2 (mother-in-law), petitioner no. 3 (brother-in-law), petitioner no. 4 (brother-in-law), petitioner no. 5 (brother-in-law), petitioner no. 6 (sister-in-law).

6. On 28.08.2024, parties arrived at a settlement before Mediation Centre, Tis Hazari Courts, and as per the said settlement deed, petitioner no.1 has agreed to pay an amount of Rs. 2,25,000/- to respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. It is further recorded in the agreement that “The goods as per Annexure-A had been handed over by the husband/respondent no.1 to the wife/complainant on 08.09.2024.” The copy of the aforesaid settlement deed dated 28.08.2024 is on record (Annexure -P-2).

7. In terms of the said settlement, the marriage between the petitioner no.1 and respondent No.2 stands dissolved by a decree of divorce dated 27.11.2024, passed by Dr. Savitri, Judge Family Court- 02, Shahdara District, Karkardooma Courts, New Delhi. (Annexure -P-3).

8. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 09.04.2025: -

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“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 121/2023 Under Sections 498-A/406/34 of the Indian Penal Code registered at P.S. Anand Parbat on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 has been amicably settled as per the settlement deed dated 28.08.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners has been amicably settled as per the settlement deed dated 28.08.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 13.05.2025.”

9. Petitioners and complainant/respondent no. 2 have appeared in person through video conferencing before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Sahil, PS Anand Prabhat.

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10. Complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed. She further states that all the terms of the agreement have been complied with.

11. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

12. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

13. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 121/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Parbat, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Deepika Goel Shokeen, Judicial Magistrate First Class, Mahila Court – 03, West District, Tis Hazari Courts, Delhi.

14. In the interest of justice, the petition is allowed, and the FIR No. 121/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Anand Parbat, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Deepika Goel Shokeen, Judicial Magistrate First Class, Mahila Court – 03, West

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District, Tis Hazari Courts, Delhi, is hereby quashed.

15. Petition is allowed and disposed of accordingly.

16. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 13, 2025/kr

[Click here to check corrigendum, if any](#)

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